

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF LOUISVILLE GAS AND)	
ELECTRIC COMPANY FOR AN ADJUSTMENT)	CASE NO. 2014-00372
OF ITS ELECTRIC AND GAS RATES)	

ORDER

On February 20, 2015, Louisville Gas and Electric Company ("LG&E") moved, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1), that certain materials filed with the Commission be afforded confidential treatment and not be placed in the public record subject to public inspection.

In support of its motion, LG&E states that the information it is requesting to be held confidential is contained in its responses to the Attorney General of the Commonwealth of Kentucky, by and through his Office of Rate Intervention's ("AG"), Supplemental Request for Information ("AG's Supplemental Request"), Items 7 and 35. The response to Item 7 includes details of the settlement of specific claims against LG&E, which LG&E and the counterparties consider confidential. LG&E states that the public disclosure of the settlement of specific claims would reveal LG&E's settlement practices, which could then be used by future counterparties to their advantage and to the disadvantage of the LG&E.

The response to Item 35 includes information regarding LG&E's transmission study, which was provided in its response to Wallace McMullen and Sierra Club's Initial Data Requests, Item 26.b., which has not yet been made public. LG&E refers to the Federal Energy Regulatory Commission's Standards of Conduct, 18 CFR Part 358,

prohibits a transmission provider from disclosing non-public transmission function information to the transmission provider's marketing function employees before the information is made public. LG&E states that when the study and the information pertaining to it no longer require confidential protection, it will so notify the Commission.

Having carefully considered the motion and the materials at issue, the Commission finds that:

1. The materials for which LG&E seeks confidential treatment meet the criteria for confidential treatment and are exempted from public disclosure pursuant to KRS 61.878(1)(a) and 807 KAR 5:001, Section 13.

2. The materials provided in response to the AG's Supplemental Request, Item 7, regarding the settlement of specific claims against LG&E should not be placed in the public record or be made available for inspection for an indefinite period of time, or until further Orders of this Commission.

3. The materials provided in response to the AG's Supplemental Request, Item 35, regarding the transmission study for which LG&E seeks confidential treatment, should not be placed in the public record or made available for inspection, until such time that LG&E informs the Commission that the information no longer requires confidential treatment, or until further Orders of the Commission.

IT IS THEREFORE ORDERED that:

1. LG&E's motion for confidential protection for its responses to the AG's Supplemental Request, Items 7 and 35, is granted.

2. Pursuant to KRS 61.878, the information contained in LG&E's response to the AG's Supplemental Request, Item 7, for which it requests confidential

protection shall not be placed in the public record or made available for public inspection for an indefinite period of time, or until further Order of this Commission.

3. Pursuant to KRS 61.878, the information contained in LG&E's response to the AG's Supplemental Request, Item 35, for which LG&E requests confidential protection shall not be placed in the public record or made available for public inspection until LG&E notifies the Commission that confidential treatment is no longer required, or until further Order of this Commission.

4. Use of the materials in question in any Commission proceeding shall be in compliance with 807 KAR 5:001, Section 13(9).

5. LG&E shall inform the Commission if the materials in question become publicly available or no longer qualify for confidential treatment.

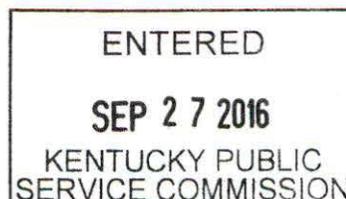
6. If a non-party to this proceeding requests to inspect materials granted confidential treatment by this Order, LG&E shall have 20 days from receipt of written notice of the request to demonstrate that the materials still fall within the exclusions from disclosure requirements established in KRS 61.878. If LG&E is unable to make such demonstration, the requested materials shall be made available for inspection.

7. The Commission shall not make the requested materials available for inspection for 20 days following an Order finding that the materials no longer qualify for confidential treatment in order to allow LG&E to seek a remedy afforded by law.

By the Commission

ATTEST:


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